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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/656,974	09/05/2003	1614	375	10173-102-999	21	1	1

20583  
PENNIE AND EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, NY 100362711

CONFIRMATION NO. 1671

## FILING RECEIPT



\*OC000000011374163\*

Date Mailed: 11/28/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jean-Louis Henri Dasseux, Brighton, MI; ✓  
Carmen Daniela Oniciu, Gainesville, FL;

Disclosure 12/5/03

## Assignment For Published Patent Application

Esperion Therapeutics, Inc.;

## Domestic Priority data as claimed by applicant

This application is a DIV of ~~10/132,194~~ 10/132,914 04/26/2002  
which is a DIV of 09/540,740 03/31/2000 PAT 6,410,802  
which claims benefit of 60/127,321 04/01/1999

## Foreign Applications

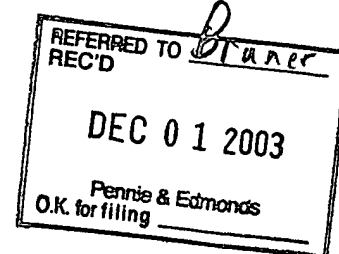
If Required, Foreign Filing License Granted: 11/28/2003

Projected Publication Date: 03/11/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\* ✓



Title



Intermediates for the synthesis of ether compounds ?

Preliminary Class

514

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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**Express Mail No.: EV 335 858 000 US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Dasseux et al.

Confirmation No.: 1671

Application No.: 10/656,974

Group Art Unit: 1614

(Division under Rule 53(b) of Application  
No. 10/132,914)

Filed: September 5, 2003

Examiner: To be assigned

For: INTERMEDIATES FOR THE  
SYNTHESIS OF ETHER  
COMPOUNDS

Attorney Docket No.: 10173-102-999

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants enclose herewith a copy of the Official Filing Receipt issued by the United States Patent and Trademark Office ("USPTO") in connection with the above-identified application and a marked-up version with the correction indicated in red ink. Specifically, the Domestic Priority data as claimed by applicant incorrectly sets forth that the application is a division of U.S. application no. 10/132,194.

The above-identified application is a division of U.S. application no. **10/132,914**.

Applicants submit herewith a copy of a Utility Patent Application Transmittal which sets forth the correct Domestic Priority data and a copy (both sides) of a return-receipt postcard evidencing that the Utility Patent Application Transmittal was received by the USPTO in connection with the above-identified application on September 5, 2003.

Applicants are also concurrently filing a Supplemental Preliminary Amendment correcting the priority data set forth in the first paragraph of the specification.

Applicants respectfully request that the United States Patent and Trademark Office correct its records and issue a corrected Filing Receipt with the correct Domestic Priority data.

It is estimated that no fee is required for correction of the Filing Receipt. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

*Anthony M. Insogna, Reg. No. 35,203*

Date December 18, 2003

By: *Michael J. Bruner, Reg. No. 47,458*  
Anthony M. Insogna (Reg. No.) 35,203

**PENNIE & EDMONDS LLP**  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090



Express Mail No. EV 335 856 896 US

Date Mailed September 5, 2003

Serial No. To be assigned

Inventor Dasseux

For INTERMEDIATES FOR THE SYNTHESIS OF ETHER COMPOUNDS

First Class Mail ☐

Filed September 5, 2003

☒ Preliminary Amendment

☒ Patent Application Fee Value Sheet with provision for fee (in duplicate)

☒ Utility Patent Application 190 pages

☐ Issue Fee Transmittal

☒ 1 Claim 21 Sheets of Figures

☐ Notice of Appeal

☒ Declaration & Power of Attorney

☐ Petition Under 37 C.F.R.

☐ Executed ☐ Unexecuted ☒ Copy

☐ Power of Attorney

☒ Information Disclosure Statement

☐ Status Letter

☒ Form PTO-1449 listing refs. AA-FX

☒ Utility Patent Application Transmittal

☐ w/refs. ☒ w/o refs.

☒ Drawings, Formal

21 Sheets of Figures 1-4, 5A, 5B, 6-7, 8A, 8B, 9, 10A, 10B, 11A-C, 12A, 12B, 13A, 13B, 14A, 14B and 15-20

☐ Fee By Deposit Account 16-1150

Other:

File no.: 10173-102-999

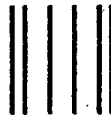
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10/656974



09/05/03



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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	10173-102-999	Total Pages	238
	First Named Inventor or Application Identifier			
	Dasseux			
	Express Mail Label No.	EV 335 856 896 US		

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapters 600 concerning utility patent application contents.</i>	<b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Mail Stop PATENT APPLICATION</b> <b>Alexandria, VA 22313-1450</b>
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1. ☒ Fee Transmittal Form  
*(Submit an original, and a duplicate for fee processing)*
2. ☒ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 190]  
*(preferred arrangement set forth below, MPEP 1503.01)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description of the Invention (including drawings, if filed)
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 21]
5. ☒ Declaration and Power of Attorney [Total Sheets 4]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63(d))  
*(for continuation/divisional with Box 18 completed)*
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
*(if applicable, all necessary)*
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statement verifying identity of above copies

<b>ACCOMPANYING APPLICATION PARTS</b>	
9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i>	<input type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13. <input checked="" type="checkbox"/> Preliminary Amendment	
14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent	
17. <input type="checkbox"/> Other:	

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 10/132,914 filed April 26, 2002, allowed, which is a divisional of U.S. application no. 09/540,740, filed March 31, 2000, now U.S. Patent No. 6,410,802, issued June 25, 2002, which claims priority to provisional application no. 60/127,321, filed April 1, 1999.

Prior application information:

Examiner:

B. Dentz

Group Art Unit:

1625

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 19. CORRESPONDENCE ADDRESS

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